



Entered on Docket
October 17, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Marlton Square (Second) Developers
Loan**

Hearing Date: September 30, 2011

Hearing Time: 9:30 a.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Part Upon Investment in The Marlton Square (Second) Developers Loan ("Marlton Square (Second) Developers Loan") [DE 8806] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does

1 not affect the direct lenders' right to repayment by the borrower or from the collateral
2 securing the Marlton Square (Second) Developers Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8806] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Marlton Square (Second) Developers Loan.
7

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**
10

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.
13 John Hinderaker (*pro hac vice*)
14 3993 Howard Hughes Parkway, Ste. 600
15 Las Vegas, Nevada 89169-5996
16 Telephone: (702) 949-8320
17 Facsimile: (702) 949-8321

18 *Attorneys for USACM Liquidating Trust*
19
20
21
22
23
24
25
26

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

#

USACM Trust**Marlton Square 2nd Loan****Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Marlton Square 2nd Loan
10725-00550	10/11/2006	Page, Patti	3045 N Beachwood Dr Los Angeles, CA 90068-1939	200,000.00	50,000.00
10725-01501	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	30,000.00	Unknown
10725-01502	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01503	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01504	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01505	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01506	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01507	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	30,000.00	Unknown
10725-01508	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	30,000.00	Unknown
10725-01509	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01510	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown

EXHIBIT A